UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/519,413	03/03/2000	George Francis DeStefano	ROC920000010	7577

7590   10/21/2004

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EXAMINER
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ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *14 May 2004*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-3 and 5-12* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-3 and 5-12* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 112

1.   Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

2.   Claim 5 depends on claim 4 which has been cancelled. This renders claim 5

vague and indefinite.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-3 and 5-12 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Fang (USP 6628311).

Regarding claims 1 and 9, Fang teaches steps identify code for disabling control

(identify that the Staple control is deactivated (col 1, lines 40-41), changing a state of

identified code from disabled to disabled with assistance (the Staple display control is

deactivated and provide help icon to provide help information on the deactivated Staple

control; col 1, lines 42-47); responsive to said change of state of identified code to

disabled with assistance, providing assistance text to explain why control is disabled

(help information explains that the Staple control is deactivated since Booklet Printing is

selected; Fig. 3a) and providing code for correcting a condition for disabling control (in

order to activate the Staple control, Booklet Printing should not be selected), receive

user selection to adjust a display control to execute said code for correcting a condition

for disabling control (upon user selection to adjust from "Booklet Printing" to "Side

Biding" in control Duplex/Booklet 16, the condition for deactivated Staple control is

corrected, and the Staple control is activated) (see col 1, lines 34-63) (also see col 3,

lines 37-65).

The only difference between Fang teaching and the claims is that in order to

correct a condition for disabling control (change Staple control from deactivated to

activated in Fang), the claims teach selecting an adjustment button while Fang teaches

selecting on a list of items (for example, select "Side Biding" in the drop-down list of

control Duplex/Booklet 16 (see col 1, lines 57-61), or select item "Finisher installed" on

the dialog box 40 and select check box "Finisher" on "Option" list on Fig. 3b.

Since Fang teaches that it is well-known that plurality of buttons (such as push

buttons, radio buttons; see col 1, lines 30-32; col 4, lines 45-47) may be used to develop

a graphical user interface, an Official Notice is taken that it would have been obvious for

one of ordinary skill in the art, having the teaching of Fang before him at the time the

invention was made, to modify the graphical user interface taught by Fang to include a

button for selecting "Side Biding" or "Finisher installed" with the motivation being to

provide different ways to select items.

Regarding claim 8, Fang teaches steps identify code for disabling control (identify

that the Staple control is deactivated (col 1, lines 40-41), changing a state of identified

code from disabled to disabled with assistance (the Staple display control is deactivated

and provide help icon to provide help information on the deactivated Staple control; col

1, lines 42-47); displaying an assistance icon for viewing by a user (help icon 26 of Fig.

2a; col 1, lines 43-46), identifying a user selection of said assistance icon and displaying

said assistance text (col 1, lines 46-48; Fig. 2a-2b), responsive to said change of state

of identified code to disabled with assistance, providing assistance text to explain why

control is disabled (help information explains that the Staple control is deactivated since

Booklet Printing is selected; Fig. 3a) and providing code for correcting a condition for

disabling control (in order to activate the Staple control, Booklet Printing should not be

selected), receive user selection to adjust a display control to execute said code for

correcting a condition for disabling control (acting on eligible items) (upon user selection

to adjust from "Booklet Printing" to "Side Biding" in control Duplex/Booklet 16, the

condition for deactivated Staple control is corrected, and the Staple control is activated)

(see col 1, lines 34-63) (also see col 3, lines 37-65).

The only difference between Fang teaching and claim 8 is that in order to correct

a condition for disabling control (change Staple control from deactivated to activated in

Fang), claim 8 teaches selecting an adjustment button while Fang teaches selecting on

a list of items (for example, select "Side Biding" in the drop-down list of control

Duplex/Booklet 16 (see col 1, lines 57-61), or select item "Finisher installed" on the

dialog box 40 and select check box "Finisher" on "Option" list on Fig. 3b.

Since Fang teaches that it is well-known that plurality of buttons (such as push

buttons, radio buttons; see col 1, lines 30-32; col 4, lines 45-47) may be used to develop

a graphical user interface, an Official Notice is taken that it would have been obvious for

one of ordinary skill in the art, having the teaching of Fang before him at the time the

invention was made, to modify the graphical user interface taught by Fang to include a

button for selecting "Side Biding" or "Finisher installed" with the motivation being to

provide different ways to select item.

Regarding claims 2 and 10, Fang teaches the displaying an assistance icon for

viewing by a user in responsive to said change state of said identified code to disabled

with assistance state (help icon 26 of Fig. 2a; col 1, lines 43-46).

Regarding claims 3 and 11, Fang teaches the identifying a user selection of said

assistance icon and displaying said assistance text (col 1, lines 46-48; Fig. 2a-2b).

Regarding claim 6, Fang teaches the including the step of displaying a help text

for viewing by a user (Fig. 3a).

Regarding claim 7, Fang teaches the step of providing an assistance icon with

said identified code, said assistance icon for viewing by a user in a context menu of

available actions for user selected items (Fig. 3a).

Regarding claims 5 and 12, Fang teaches receive user selection to adjust a

display control to execute said code for correcting a condition for disabling control

(acting on eligible items) (upon user selection to adjust from "Booklet Printing" to "Side

Biding" in control Duplex/Booklet 16, the condition for deactivated Staple control is

corrected, and the Staple control is activated) (see col 1, lines 34-63) (also see col 3,

lines 37-65). The only difference between Fang teaching and the claims is that in order

to correct a condition for disabling control (change Staple control from deactivated to

activated in Fang), the claims teach selecting an adjustment button while Fang teaches

selecting on a list of items (for example, select "Side Biding" in the drop-down list of

control Duplex/Booklet 16 (see col 1, lines 57-61), or select item "Finisher installed" on

the dialog box 40 and select check box "Finisher" on "Option" list on Fig. 3b. Since Fang

teaches that it is well-known that plurality of buttons (such as push buttons, radio

buttons; see col 1, lines 30-32; col 4, lines 45-47) may be used to develop a graphical

user interface, an Official Notice is taken that it would have been obvious for one of

ordinary skill in the art, having the teaching of Fang before him at the time the invention

was made, to modify the graphical user interface taught by Fang to include a button for

selecting "Side Biding" or "Finisher installed" with the motivation being to provide

different ways to select items.

5.   Applicant's arguments filed 05/14/04 have been considered but they are not

persuasive.

        In response to Applicant's argument that "Fang provides no suggestion....for

providing dynamic assistance for disabled user interface resources as taught by

Applicants and claimed in independents claims 1, 8, and 9, as amended", it is noted that

such is not quite the case.

        As clearly presented in the rejection above, Fang teaches steps identify code for

disabling control (identify that the Staple control is deactivated (col 1, lines 40-41),

changing a state of identified code from disabled to disabled with assistance (the Staple

display control is deactivated and provide help icon to provide help information on the

deactivated Staple control; col 1, lines 42-47); responsive to said change of state of

identified code to disabled with assistance, providing assistance text to explain why

control is disabled (help information explains that the Staple control is deactivated since

Booklet Printing is selected; Fig. 3a) and providing code for correcting a condition for

disabling control (in order to activate the Staple control, Booklet Printing should not be

selected), receive user selection to adjust a display control to execute said code for correcting a condition for disabling control (upon user selection to adjust from "Booklet Printing" to "Side Biding" in control Duplex/Booklet 16, the condition for deactivated Staple control is corrected, and the Staple control is activated) (see col 1, lines 34-63) (also see col 3, lines 37-65).

The only difference between Fang teaching and the claims is that in order to correct a condition for disabling control (change Staple control from deactivated to activated in Fang), the claims teach selecting an adjustment button (change Staple control from deactivated to activated) while Fang teaches selecting on a list of items (for example, select "Side Biding" in the drop-down list of control Duplex/Booklet 16 (see col 1, lines 57-61), or select item "Finisher installed" on the dialog box 40 and select check box "Finisher" on "Option" list on Fig. 3b.

Since Fang teaches that it is well known that plurality of buttons (such as push buttons, radio buttons; see col 1, lines 30-32; col 4, lines 45-47) may be used to develop a graphical user interface, it is clear that Fang provide suggestion that buttons can be used. Therefore, it would have been obvious for one of ordinary skill in the art, having the teaching of Fang before him at the time the invention was made, to modify the graphical user interface taught by Fang to include a button for selecting "Side Biding" or "Finisher installed" with the motivation being to provide different ways to select items.

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kieu D. Vu.

The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at

703-605-1232 through the month of October, 2004 and at 571-272-4057 thereafter.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca, can be reached at 703-308-3116 through the month of

October, 2004 and at 571-272-4048 thereafter.

The fax phone numbers for the organization where this application or proceeding

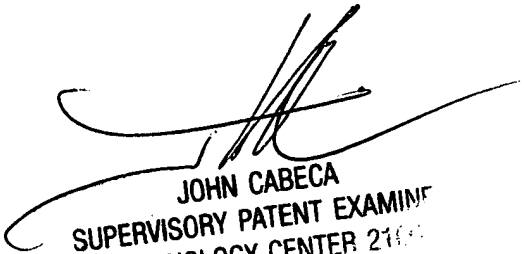is assigned are as follows:

703-872-9306

and / or:

703-746-5639 through the month of October, 2004 and 571-273-4057 thereafter

(use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT"

communication. Examiners may request that a formal paper / amendment be faxed

directly to them on occasions).

    Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703-305-

3900).

Kieu D. Vu

JOHN CABECA
SUPERVISORY PATENT EXAMINF
TECHNOLOGY CENTER 21